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4 **UNITED STATES DISTRICT COURT**

5 **DISTRICT OF NEVADA**

6 DAVID TRAYLOR,)
7 Plaintiff,) Case No. 2:10-cv-0289-RLH-RJJ
8 vs.)
9 STATE OF NEVADA, *et al.*,)
10 Defendants.)

11 Plaintiff filed a civil complaint in the Eighth Judicial District Court for Clark County, Nevada,
12 which Defendants removed to this Court on March 2, 2010. (*See* Petition for Removal of Action, #1).
13 Now pending before the Court is Plaintiff's Motion for Leave to File First Amended Complaint (#8).
14 Plaintiff has attached a copy of his "Amended Complaint."

15 Plaintiff may amend his complaint once as a matter of course because Defendants have not yet
16 responded to his original complaint. Fed. R. Civ. P. 15(a). However, Plaintiff has submitted as his
17 amended complaint a copy of the same complaint that was attached to the defendants' Petition for
18 Removal of Action. Because there is no difference between the original complaint and the amended
19 complaint, Plaintiff's motion will be denied without prejudice. If Plaintiff wishes to submit an amended
20 complaint that is substantively different from the original complaint, Plaintiff may do so on the form
21 provided by the Court within thirty (30) days. If Plaintiff fails to submit an amended complaint within
22 the allowable time period, the Court will screen Plaintiff's original complaint attached to the Petition
23 for Removal of Action (#1).

24 **IT IS THEREFORE ORDERED** that Plaintiff's Motion for Leave to File First Amended
25 Complaint (#8) is **DENIED without prejudice**.

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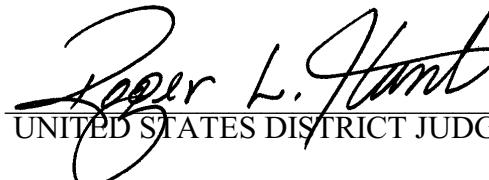
1 **IT IS FURTHER ORDERED** that Plaintiff may submit an **amended complaint** on the proper
2 form provided by this Court. Plaintiff will have **thirty (30) days** from the date that this Order is entered
3 to submit an amended complaint. The amended complaint must be a complete document in and of itself,
4 and will supersede the original complaint in its entirety. The amended complaint must include all pages
5 of the complaint form and any additional pages as needed. If Plaintiff fails to submit a timely amended
6 complaint, the Court will screen Plaintiff's original complaint attached to the Petition for Removal of
7 Action (#1).

8 **IT IS FURTHER ORDERED** that Plaintiff shall clearly title the amended complaint as such
9 by placing the words "FIRST AMENDED" immediately above "Civil Rights Complaint Pursuant to 42
10 U.S.C. § 1983" on page 1 next to the caption, and plaintiff shall place the case number, **2:10-CV-0289-**
11 **RLH-RJJ**, above the words "FIRST AMENDED" in the space for "Case No."

12 **IT IS FURTHER ORDERED** that the Clerk of the Court shall send Plaintiff a blank civil rights
13 complaint form with instructions.

14 **IT IS FURTHER ORDERED** that the Court shall retain Plaintiff's original complaint (#1-2).

15 DATED: May 4, 2010.

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18 UNITED STATES DISTRICT JUDGE

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